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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

The United States of America, through Joseph Tartakovsky, Assistant United States Attorney, and the defendant, Stephen Silverman, through his counsel, hereby stipulate to continue the trial date in this matter to March 24, 2023 at 9:00 a.m.

Additionally, the parties hereby stipulate to the following pretrial dates and deadlines:

February 24, 2023: Joint Pretrial Statement and Proposed Order due

February 24, 2023: Motions in Limine due

February 24, 2023: Parties to exchange copies of exhibits, summaries, et al.

March 3, 2023: Oppositions to Motions in Limine due

March 3, 2023: Jury voir dire, proposed jury instructions, proposed verdict form due

1 March 8, 2023: Pretrial Conference

2 March 20, 2023: Optional Trial Briefs due

3 This case is currently set for an approximately two-week trial beginning March 13, 2023.

4 Counsel for the defendant has an unavoidable conflict in that time period due to a trial proceeding
5 before this one in Arizona district court. That preceding trial will significantly impair defense
6 counsel's ability to prepare for trial in this matter. Additionally, one member of the defense team
7 has a significant family event during the week of March 13, which he cannot move or otherwise
8 reschedule. The government does not object to continuing the trial date.

9 Time is currently excluded in this case through March 13, 2023. The government and
10 counsel for the defendant agree that time should be excluded under the Speedy Trial Act for
11 continuity of counsel in light of counsel's unavailability, and also so that defense counsel can
12 adequately prepare, including by reviewing the discovery already produced and additional
13 discovery that the government anticipates producing in advance of trial. For these reasons, the
14 parties stipulate and agree that excluding time until March 24, 2023 will allow for continuity of
15 counsel and the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
16 further stipulate and agree that the ends of justice served by excluding the time from March 13,
17 2023 through March 24, 2023 from computation under the Speedy Trial Act outweigh the best
18 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

20
21 IT IS SO STIPULATED.

22 Dated: December 27, 2022

/s/ Marcus S. Bourassa
MARCUS S. BOURASSA
Counsel for Steven Silverman

23
24 Dated: December 27, 2022

/s/ Joseph Tartakovsky
JOSEPH TARTAKOVSKY
Assistant United States Attorney

ORDER

Upon stipulation of the parties and for good cause shown, it is hereby ORDERED that
Jury Selection is continued to March 24, 2023 at 9:00 am and Jury Trial is continued to March 27,
2023 at 8:30 am. Pretrial deadlines are hereby set as follows:

February 24, 2023: Joint Pretrial Statement and Proposed Order due

February 24, 2023: Motions in Limine due

February 24, 2023: Parties to exchange copies of exhibits, summaries, et al.

March 3, 2023: Oppositions to Motions in Limine due

March 3, 2023: Jury voir dire, proposed jury instructions, proposed verdict form due

March 8, 2023 at 10:00 a.m.: Pretrial Conference

March 20, 2023: Optional Trial Briefs due

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from March 13, 2023 through March 24, 2023 would unreasonably deny the defendant continuity of counsel, and defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from March 13, 2023, to March 24, 2023, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from March 13, 2023 through March 24, 2023 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: December 29, 2022


HON. RICHARD SEEBOORG
Chief United States District Judge